

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD)(SN) ECF Case

**DECLARATION IN SUPPORT OF MOTION FOR
ENTRY OF PARTIAL FINAL DEFAULT JUDGMENT ON BEHALF
OF THE ESTATE OF PETER F. RAIMONDI**
(BURNETT 33)

JOHN M. EUBANKS, Esquire, hereby states under penalty of perjury that:

1. I am an attorney with the law firm of Motley Rice LLC, attorneys for the Plaintiffs in the above-captioned matter. I submit this Declaration in support of this motion on behalf of Plaintiff Lenore Raimondi, as the Personal Representative of the Estate of Peter F. Raimondi, in the action titled *Burnett, et al., v. Islamic Republic of Iran, et al.*, 15-cv-9903 (GBD)(SN) (“*Burnett*”).

2. The form of this motion and the relief requested herein are intended to comply with the following orders of this Court:

- a. The Court’s order dated January 24, 2017 (ECF No. 3435¹), requiring that “[a]ll further motions for final judgment against any defaulting defendant shall be accompanied by a sworn declaration attesting that the attorney has (1) complied with the due diligence safeguards [referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs’ Executive Committee (ECF No. 3433)] and (2) personally verified that no relief has previously been awarded to any plaintiff included in the judgment (or, if relief has been awarded, the nature of that relief).” For compliance with the required sworn declaration, please see below.

¹ Unless indicated differently, citations to ECF Nos. are to the docket in *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD)(SN).

- b. The Court's Order dated October 14, 2016 (ECF No. 3363) concerning the amounts of solatium damage awards.
- c. The Court's Order dated October 14, 2016 (ECF No. 3362) related to the cases captioned as *Bauer v. Al Qaeda Islamic Army*, 02-CV-7236 (GBD)(SN) and *Ashton v. al Qaeda Islamic Army*, 02-CV-6977 (GBD)(SN).

3. Plaintiff Lenore Raimondi, as Personal Representative of the Estate of Peter F. Raimondi, has not previously received judgment against these defendants in the MDL, and she does not have any motion currently pending against these defendants in the MDL.

4. The form of this motion and the relief requested herein are also consistent with the form and relief requested and granted as to other plaintiffs in the *Burnett* action.

5. Service of process on The Islamic Republic of Iran and the Islamic Revolutionary Guard Corps was executed pursuant to 28 U.S.C. § 1608(a)(4) on September 14, 2016 by service through diplomatic channels. Service on the Central Bank of the Islamic Republic of Iran was executed pursuant to 28 U.S.C. § 1608(b)(3) on March 18, 2016 through direct mailing via the U.S. Postal Service.

6. The sources of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm's representation of Plaintiff Lenore Raimondi in connection with the September 11th terror attacks, other court records relating to the *In re Terrorist Attack on September 11, 2001* multidistrict litigation to which these individuals are parties, my communications with other counsel for other plaintiffs in the *In re Terrorist Attack on September 11, 2001* multidistrict litigation, and conversations with these plaintiffs and other family members of these plaintiffs. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

7. Plaintiff Lenore Raimondi, as Personal Representative of the Estate of Peter F. Raimondi, appears on Exhibit A.

8. The pain and suffering amount for the Estate of Peter F. Raimondi on Exhibit A matches the figure this Court previously determined appropriate for compensatory damages for decedents' pain and suffering on September 11, 2001. *See* ECF No. 2618 at 9; *see, e.g.*, ECF Nos. 3226 at 1; 3382 at 2.

9. The economic-loss amount for the Estate of Peter F. Raimondi on Exhibit A is derived from the expert report of economist Dr. Stan V. Smith whose report related to the Estate of Peter F. Raimondi is attached as Exhibit B. Due to the sensitive financial information contained in this document, Plaintiffs submit that they should remain off the public docket and under seal as has been the custom in other instances where this type of information has been submitted to the Court. Magistrate Judge Netburn has approved the filing of these materials under seal. *See* ECF No. 5716.

10. After reviewing the records available to me regarding other judgments entered by this Court against the Iranian defendants, I have not identified any relief that has previously been awarded to Lenore Raimondi, as Personal Representative of the Estate of Peter F. Raimondi.

11. Before filing this motion, I have (1) complied with the due diligence safeguards referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs' Executive Committees (ECF No. 3433) and (2) personally verified that, based on my review of the records available to me regarding other judgments entered by this Court against the Iranian defendants, no relief has previously been awarded to Plaintiff Lenore Raimondi, as Personal Representative of the Estate of Peter F. Raimondi.

12. Accordingly, included with this motion is a proposed Order of Partial Final Judgment for Plaintiff Lenore Raimondi, as Personal Representative of the Estate of Peter F. Raimondi, conforming to the Court's previous orders.

Dated: June 26, 2024

/s/ John M. Eubanks
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